

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Higher Education Dept. – Vigilance Cell – Allegation of corrupt practices by Sri G. Ram Mohan, Principal (Retd.) Govt. Junior College, (Girls), Hindupur, Anantapur District – Disciplinary action initiated – Finalisation of disciplinary action – Orders – Issued.

G.O.Rt. No. 271

Dated:03-06-2014.
Read the following:-

1. From the DG ACB Lr.No.60/DE-S/ATP/93, Dt. 13.5.1993
2. From the DIE Lr.Rc.No.A3/3259/2000, Dated 2-08-2000
3. From the DIE Lr.Rc.No.A4/516/2000, Dated 19-08-2000
4. Govt. Memo No.661/VC.II/93-32, dt.5.3.2005.
5. From C.I.E. Lr.Rc.No.Ser.I-2/3259/2000, dt.24.5.05.
6. Govt. Memo No.661/VC.II/93-32, dt.11.9.2006.
7. From C.I.E. Lr.Rc.No.Ser.I-2/3259/2000, dt.9.5.2008 & dt.1.4.2009 along with explanation of the Accused Officer.
8. Govt. Memo No.661/VC.1/1993- Higher Education (VC.1) Dept., Dt.29.5.2012.

ORDER:

In the reference first read above, the Director General, Anti Corruption Bureau, A.P. Hyderabad, has brought to the notice of the Government that on receipt of petitions on the allegations of corrupt practices against Sri G. Ram Mohan, Principal, Government Junior College, (Girls) Hindupur, a surprise check was organized on 12.4.1993 by the Dy. Superintendent of Police, Anti-Corruption Bureau, Anantapur. He has stated that there are number of allegations against the Accused Officer and it is found to be true and recommended to initiate departmental action against the Accused Officer.

2. In the reference 2nd read above, the Director of Intermediate Education has framed following charges against Sri G. Ram Mohan, Principal, Govt. Junior College(Girls), Hindupur :-

CHARGE-I

That the said Accused Officer while functioning as Principal, GJC (Girls) Hindupur has purchased two usha fans vide Bill No.173, dated 13-03-1992 from “ Balaji Sewing Machine Company” Anantapur which were not physically present in the college on the day of surprise visit of ACB on 12-04-1993 and they were kept in his house at Anantapur ever since of purchase. Thus he misused the Government property.

CHARGE –II

That the said Accused Officer has encashed Rs.50,156/- on 3-03-1993, and 31-03-1993 towards payment of scholarship amount to 34 girls students of Intermediate and out of which an amount of Rs. 7,518/- was found deficit on the spot when physically verified by Dy. Superintendent of Police ACB, Anantapur

CHARGE-III

That the said Accused Officer utilized the scholarship amount of Rs.3,560-25 for conduct of IPE’ 1993 examinations quite irregular.

CHARGE – IV

That the said Accused Officer misappropriated an amount of Rs.3,957-75 .

CHARGE-V

That, while the said Accused Officer was working as Principal, GJC Hindupur an amount of Rs.8,650/- was found deficit as against the Rs.16,168/- towards scholarship amount by Dy. Superintendent, ACB, Anantapur. The Principal failed to account for the deficit amount of Rs.7,518/- It is clear that the A.O. misappropriated scholarship amount.

Contd...2..

3. In reply to the above charges, the above Accused Officer has submitted his written statement of defense stating that he did not misappropriated any Government funds or any Government property and Intermediate examinations were going on and some amounts were spent for the stationery and giving remuneration to the supervisors and examiners as the cheque was not received from the Board of Intermediate Education. If the authorities feel that he is guilty, he will repay the amount if informed and therefore requested to exonerate him from the above charges on humanitarian grounds and release pensionary benefits.

4. The Director of Intermediate Education in the reference 2nd read above, has stated that the Regional Joint Director of Higher Education, Cuddapah, has conducted detailed inspection of Government Junior College, (Girls) Hindupur, from 14-05-1999 to 20-05-1999 and reported that the Accused Officer has committed grave and glaring financial irregularities while he was officiating as Principal for the period from 25-07-1990 to 11-06-1993. He has noticed that the Accused Officer while working as Principal in the college, has drawn amounts through cheques worth Rs.1,17,250-25. No records and files, such as cash book, resolutions and vouchers were produced to the inspection party for the amounts drawn by the Accused Officer. He has drew amount on self cheques without the knowledge of the Senior Assistant or any other staff member of the office, keeping the cheque book with him. Thus the Accused Officer has misused his drawing powers evidently leading to misappropriation of Special Fee funds. He has stated that the entire amount of Rs.1,17,250-25 should be recovered.

5. Government having examined the matter, decided to impose a penalty of 5% cut in pension for a period of two years besides recovery of embezzlement amount from the DCRG payable to the Accused Officer for the charges held proved in the enquiry. Accordingly, a show cause notice was issued to the Accused Officer.

6. The Commissioner of Intermediate Education, A.P. Hyderabad in the reference 5th read above, has forwarded the explanation of the Charged Officer to the show cause notice dt.5.3.2005, stating that the minimum penalty to be imposed in all proved cases of misappropriation (in addition to recovery of amount misappropriated) is dismissal from service. In the case of retired employees, the penalty should be withholding the entire pension and gratuity permanently or withdrawal of pension as the case may be.

7. After re-examining the entire matter as per material made available, Government opined that the irregularities committed by the Principal and misuse of special fee funds to a tune of Rs.1,17,250-25 paise mentioned by the Director of Intermediate Education in his letter dt.2.8.2000, have not been fully reflected in the Articles of Charge framed, as the departmental enquiry was conducted in 1999. The charges misappropriation and misuse of special fee funds and scholarship amounts were held proved. The Accused Officer in his reply dt.22.1.04 replied that he would repay the amount and stated that he has not utilized the amounts for his own purpose. Therefore, Government have decided to withhold the pension and gratuity in full permanently, apart from recovery of the amount misappropriated, with interest @ 10%. Accordingly, a Revised Show Cause Notice was issued to the Accused Officer vide reference 6th read above. The Accused Officer has submitted his explanation to Government vide reference 7th read above cited which was not convinced.

8. The Government, after re-examination of the entire matter, have decided to impose the penalty of withholding the pension and gratuity in full permanently, apart from recovery of the amount misappropriated, in full with interest @ 10% per annum, by excluding Rs.1,17,250.50, since this misappropriation of funds is not covered by any charge and also not proved by any inquiry under Rule 9 of the APRP Rules, 1980.

9. Accordingly, in the reference 8th read above, a revised show cause notice was issued to Sri G.Ram Mohan, Principal (Retd.) Govt. Junior College, Hindupur, Anantapur District with a direction as to why the penalty of withholding the pension and gratuity in full permanently, apart from recovery of the amount misappropriated, in full with interest @ 10% per annum, by excluding Rs.1,17,250.50 shall not be imposed on

Contd...3..

him and to submit his explanation in the matter within 15 days from the date of receipt of the orders.

10. Sri G. Ram Mohan, Principal (Retd.) has filed O.A. No.1470/2011 in the Hon'ble APAT. The Hon'ble Tribunal in their orders dt.16.09.2013 have **set aside the revised show cause notice issued by Govt. in Memo No.661/VC.2/93-33 Dt. 11.09.2006, and directed to pass orders on the basis of initial show cause notice.** The individual has filed C.A. No.267/2014 in the Hon'ble APAT to implement the above orders.

11. Government after careful examination of the entire matter have decided to implement the above Hon'ble Tribunal orders by imposing the punishment of 5% cut in pension for 2(two) years besides recovery of embezzled amount of Rs.1,17,250/- against Sri G.Ram Mohan, Principal (Retd.), Govt. Junior College, Porumamilla, Kadapa Dist. as proposed in the first Show Cause Notice dt.5.3.2005 for the charges held proved in the enquiry.

12. Accordingly, Government hereby impose the punishment of 5% cut in pension for 2 years besides recovery of embezzled amount of Rs.1,17,250/- against Sri G.Ram Mohan, Principal (Retd.), Govt. Junior College, Porumamilla, Kadapa Dist. as proposed in the first Show Cause Notice dt.5.3.2005, for the charges held proved in the enquiry.

13. The Commissioner of Intermediate Education, AP, Hyderabad shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**RAJESHWAR TIWARI,
PRINCIPAL SECRETARY TO GOVERNMENT(SE).**

To

Sri G. Ram Mohan, Principal (Retired), Government Junior College,
Hindupur, Anantapur District **through** Commissioner of
Intermediate Education, A.P., Hyderabad.

The Commissioner of Intermediate Education, A.P., Hyderabad.

Copy to:

The Director General, ACB, Hyderabad.

The Secretary to VC, A.P. Vigilance Commission,
Hyderabad.

The Regional Joint Director of Intermediate Education,
Kadapa, Kadapa District.

The Accountant General, AP, Hyderabad.

The Finance (Pen.I) Department.

The Law (C) Department.

SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER.